

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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WILLIAM STANFORD, JR.,

Plaintiff,

Civil Action No.:21-cv-

vs.

GREGORY COCHRAN, WS THOMAS
TRANSFER, LLC, ONLINE TRANSPORT INC.,
JOHN/JANE DOE(S) 1-10, and ABC CORP(S) 1-10
(Fictitious Names) Jointly, Severally and/or in the
Alternative

NOTICE OF REMOVAL

Defendants.
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TO: Brendan Moles, Esq.
MATTLEMAN, WEINROTH & MILLER, P.C.
401 Route 70 East, Ste. 100
Cherry Hill, NJ 08034

PLEASE TAKE NOTICE, that on this date, defendants GREGORY COCHRAN, W.S. Thomas Transfer Logistics, LLC (named as WS THOMAS TRANSFER, LLC) and ONLINE TRANSPORT INC. by their undersigned counsel, have filed this Notice of Removal pursuant to 28 U.S.C. §1446(a), in the office of the Clerk of the United States District Court for the District of New Jersey.

1. Plaintiff WILLIAM STANFORD, JR. brought a lawsuit against the defendants GREGORY COCHRAN, WS THOMAS TRANSFER, LLC and ONLINE TRANSPORT INC.(and fictitious-named defendants) by filing a Complaint and Jury Demand in the Superior Court of the State of New Jersey, Law Division, Hudson County on November 12, 2021 as a result of an alleged accident which occurred on or about December 6, 2019. A copy of the Complaint is annexed hereto as Ex A.

2. Upon information and belief, the Summons and Complaint were not received by defendant GREGORY COCHRAN to date.

3. Upon information and belief, the Summons and Complaint were received by defendant W.S. Thomas Transfer Logistics, LLC on or about November 19, 2021.

4. Upon information and belief, the Summons and Complaint were received by

defendant ONLINE TRANSPORT INC. on or about November 19, 2021.

5. There have been no other proceedings in this action.

6. According to the plaintiff's complaint (Ex. A), the plaintiff purports to be a citizen and resident of the State of New Jersey, residing in the City of Bayonne and County of Hudson.

7. Defendant GREGORY COCHRAN is a citizen and domiciliary of the State of West Virginia, residing in the City of Talcott.

8. W.S. Thomas Transfer Logistics, LLC is a single member limited liability company and the single member is Online Holdings, Inc., organized in the State of Indiana, and maintains its principal place of business in Greenfield, Indiana.

9. Defendant ONLINE TRANSPORT INC. is a corporation incorporated in the State of Indiana.

10. Therefore, complete diversity of citizenship pursuant to 28 U.S.C. §1332(a)(1) exists and federal subject matter jurisdiction exists.

11. In the Count One, paragraphs 12-16 of the plaintiff's Complaint, plaintiff WILLIAM STANFORD, JR. alleges that he suffered severe, permanent, and multiple injuries accompanied by great pain and suffering, requiring monies to be expended for his medical care and treatment, and preventing him from attending to his normal duties and activities, all of which are presently continuing and will continue in the future; was caused to suffer the loss of earnings and earning capacity, loss of well-being, limitation of motion, loss of ability to enjoy life, humiliation, nervousness and loss of self-confidence. Ex. A.

12. Based upon the language set forth in the plaintiff's Complaint, the matter in controversy exceeds \$75,000, exclusive of interest and costs.

13. Jurisdiction over the subject matter of this action is conferred on this Court by 28 U.S.C. §1441(a).

14. Jurisdiction in this Court is proper pursuant to 28 U.S.C. §1332 and 28 U.S.C. §1441 in that the parties are of complete diversity of citizenship, the amount in controversy exceeds \$75,000 exclusive of interest and costs.

15. This Notice is filed with this Court within 30 days of defendant's receipt "through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based," as provided by 28 USC §1446(b).

PLEASE TAKE FURTHER NOTICE, that the defendants, upon filing the Notice of Removal in the office of the Clerk of the United States District Court for the District of New Jersey, have also filed copies of the Notice with the Clerk of the Superior Court of New Jersey, Law Division, Hudson County Courthouse, 595 Newark Ave, Jersey City, NJ 07306, to effect removal of this action to the United States District Court pursuant to 28 U.S.C. §1446(b).

Dated: December 18, 2021

LAW OFFICES OF LORNE M. REITER, LLC
Attorneys for defendants
GREGORY COCHRAN, WS THOMAS
TRANSFER, LLC and ONLINE TRANSPORT INC.
124 First Avenue
Atlantic Highlands, New Jersey 07716

s/Lorne M. Reiter

BY:

LORNE M. REITER

EX. A

MATTLEMAN, WEINROTH & MILLER, P.C.

By: Brendan Moles, Esquire

Attorney I.D. No. 080022013

401 Route 70 East, Ste. 100

Cherry Hill, NJ 08034

Tel. (856) 429-5507; Fax (856) 409-9036

Email: mmignogna@mwm-law.com

Attorney for Plaintiff, William Stanford, Jr.

WILLIAM STANFORD, JR.

Plaintiff,

vs.

GREGORY COCHRAN, WS THOMAS
TRANSFER, LLC, ONLINE TRANSPORT INC.,
JOHN/JANE DOE(S) 1-10,
and ABC CORP(S) 1-10 (Fictitious Names)
Jointly, Severally and/or in the Alternative

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
HUDSON COUNTY

Civil Action

DOCKET NO:

**COMPLAINT, JURY DEMAND
NOTICES, CERTIFICATIONS and
INTERROGATORIES**

Plaintiff, William Stanford, Jr. by and through his attorneys, Mattleman, Weinroth & Miller, P.C., hereby files this Complaint and avers the following:

THE PARTIES

1. Plaintiff, William Stanford, Jr. (hereinafter referred to as "Plaintiff"), adult individual, residing at 992 Broadway, Suite 4, Bayonne, New Jersey 07002.

2. Defendant, Gregory Cochran (hereinafter referred to as "Cochran") an adult individual who, at all times material hereto, was an employee, agent, servant, and/or driver of Defendant, WS Thomas Transfer and/or Online Transport, Inc., and was acting within the course and scope of his employment and/or agency with Defendant WS Thomas Transfer LLC.

3. Defendant, WS Thomas Transfer LLC (hereinafter referred to as "WS") is a domestic limited liability company and/or other legal entity with headquarters, a principal place of business and/or registered office located at 3150 Chief Lane, Indianapolis, IN 46241 and was the owner of the truck driven by Defendant, Gregory Cochran.

4. Defendant, Online Transport, Inc. (hereinafter referred to as "Online") is a domestic limited liability company and/or other legal entity with headquarters, a principal place of business and/or registered office located at 3150 Chief Lane, Indianapolis, IN 46241 and was the owner of the truck driven by Defendant, Gregory Cochran.

5. Defendants, John/Jane Doe(s) 1-10 (collectively referred to hereinafter as "Does"), are individual(s) whose identities are not yet known but who may become known through discovery and/or further investigation arising therefrom and who at all times and places material hereto were responsible for and/or contributed to the injuries sustained by Plaintiff and are therefore responsible in damages to Plaintiffs, jointly, severally and/or in the alternative.

6. Defendants, ABC Corp(s) 1-10 are (collectively referred to hereinafter as "ABC Corp(s)") are corporations, partnerships, limited liability companies, limited partnerships, joint ventures or other legal entities whose identities are not yet known but which may become known through discovery and/or further investigation arising therefrom and who at all times and places material hereto were responsible for and/or contributed to the injuries sustained by Plaintiff and are therefore responsible in damages to Plaintiff, individually, jointly, severally and/or in the alternative.

7. At all times material hereto, Defendants Does and/or ABC Corp(s) was/were an employee(s), agent(s), servant(s), and/or driver(s) of Defendant WS and was/were acting within the course and scope of their employment and/or agency with Defendant WS.

COUNT ONE- NEGLIGENCE

8. On or about December 6, 2019, the Plaintiff was seated in a motor vehicle that was parked on the north side of Bowers Avenue at the corner of Central Avenue in Jersey City, New Jersey.

9. At the aforesaid time and place, Defendant Cochran, was the operator of a truck (hereinafter "Defendant's vehicle") owned by his employer, Defendant WS Thomas Transfer, LLC

and/or Online Transport, Inc., traveling westbound on Bowers Avenue and made a left turn onto southbound Central Avenue. While making this turn Defendant's his truck struck Plaintiff's vehicle.

10. On the aforesaid date and place, Defendant Letts and/or Defendants Does and/or ABC Corp(s), while acting within the scope of their employment/agency with Defendant Metropolitan, operated and/or permitted the operation of Defendant's vehicle at an excessive rate of speed, too closely behind Plaintiff's vehicle, without due care and caution, without making proper observation, in violation of traffic controls and/or stop signs and/or in an otherwise negligent and careless manner so as to cause Defendant's vehicle to collide with and/or into the rear of Plaintiff's vehicle thereby causing injury and damage to the Plaintiffs as hereinafter set forth.

11. On the aforesaid date and place, Defendants and/or operator singularly and/or jointly, and/or severally and/or in concert, operated or permitted the operation of the aforesaid vehicle at an excessive rate of speed, without due care and caution, without making proper observation, in violation of traffic controls and/or stop signs and/or in an otherwise negligent, careless, reckless, willful and wanton manner so as to cause the said motor vehicle to collide with the vehicle operated by Plaintiff, thereby causing injury and damage to the Plaintiff as hereinafter set forth.

12. As a result of the aforesaid negligence and/or carelessness of the Defendants, Plaintiff suffered severe, permanent and multiple injuries accompanied by great pain and suffering, requiring monies to be expended for his medical care and treatment and preventing him from attending to his normal duties and activities, all of which are presently continuing and will continue into the future.

13. As a further result of the aforesaid negligence and/or carelessness of the Defendants, Plaintiff has suffered severe, permanent and multiple injuries accompanied by great pain and suffering, requiring monies to be expended for his medical care and treatment and

preventing him from attending to his normal duties and activities, all of which are presently continuing and will continue into the future.

14. As a further result of the aforesaid negligence of the Defendants, Plaintiff was caused to suffer the loss of earnings and earning capacity which loss may and probably will continue into the future to her great detriment and loss.

15. As a further result of the negligence of the Defendants, Plaintiff has suffered inconvenience, loss of feeling of well-being, limitation of motion, loss of ability to enjoy life and normal activities, humiliation, nervousness, loss of self-confidence, some or all of which may continue into the future for an indefinite period of time.

16. As a further result of the Defendant's tortious conduct, Plaintiff has suffered inconvenience, loss of feeling of wellbeing, limitation of motion, loss of ability to enjoy life and normal activities, humiliation, nervousness, loss of self-confidence, some or all of which may continue into the future for an indefinite period of time.

WHEREFORE, Plaintiff, William Stanford, Jr., demand judgment against Defendants, jointly, severally and/or in the alternative for damages in accordance with the Laws of the State of New Jersey, along with interest, costs of suit and such other and further relief as may be deemed just and appropriate under the circumstances.

MATTLEMAN, WEINROTH & MILLER, P.C.

/s/ Brendan Moles

Date: November 12, 2021

By: _____
BRENDAN MOLES, ESQUIRE

JURY DEMAND

PLEASE TAKE NOTICE that the Plaintiff in the within action hereby demands a Trial by jury of six (6) persons pursuant to the Rules of this court.

MATTLEMAN, WEINROTH & MILLER, P.C.

Date: November 12, 2021

By: /s/ Brendan Moles

BRENDAN MOLES, ESQUIRE

NOTICE PURSUANT TO RULES

Rule 1:5-1(a) and Rule 4:17-4 (c):

TAKE NOTICE that the undersigned attorney, counsel for the Plaintiff, hereby demands pursuant to Rule 1:5-1(a) and Rule 4:17-4 (c) that each party herein serving pleadings and interrogatories and receiving answers thereto serve copies of all such pleadings and interrogatories received from any party upon the undersigned attorney and TAKE NOTICE that this is a continuing demands.

MATTLEMAN, WEINROTH & MILLER, P.C.

Date: November 12, 2021

By: /s/ Brendan Moles

BRENDAN MOLES, ESQUIRE

NOTICE OF TRIAL COUNSEL

PURSUANT TO COURT RULES, PLEASE TAKE NOTICE that Michael R. Mignogna, Esquire is hereby designated as trial counsel in this cause of action.

MATTLEMAN, WEINROTH & MILLER, P.C.

Date: November 12, 2021

By: /s/ Brendan Moles

BRENDAN MOLES, ESQUIRE

CERTIFICATION

Pursuant to Rule 4:5-1, after my trial investigation of this matter, it does not appear that there are any other related arbitrations or actions.

MATTLEMAN, WEINROTH & MILLER, P.C.

/s/ Brendan Moles

Date: November 12, 2021

By: _____

BRENDAN MOLES, ESQUIRE

INTERROGATORIES

Pursuant to Court Rule 4:17-1, please provide certified answers to form Interrogatories C and C1 (Rev. 9/96) of the Rules of Court within 60 days after service of your Answer to the Complaint.

MATTLEMAN, WEINROTH & MILLER, P.C.

/s/ Brendan Moles

Date: November 12, 2021

By: _____

BRENDAN MOLES, ESQUIRE

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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Plaintiff,

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(Fictitious Names) Jointly, Severally and/or in the
Alternative

CERTIFICATION OF SERVICE

Defendants.
-----X

LORNE M. REITER, ESQ. certifies as follows:

1. I am an attorney duly admitted to practice before this Honorable Court, and I hereby affirm the truth of the following statements under the penalty of perjury.

2. I am a member with the law firm of LAW OFFICES OF LORNE M. REITER, LLC, attorneys for the defendants GREGORY COCHRAN, W.S. Thomas Transfer Logistics, LLC (named as WS THOMAS TRANSFER, LLC) and ONLINE TRANSPORT INC. and, as such, I am fully familiar with the facts set forth herein.

3. On this date, I served a copy of the within Notice of Removal upon the plaintiff in this action by mailing same via First Class Mail from 124 First Avenue, Atlantic Highlands, New Jersey 07716 addressed to the plaintiff's attorney, Brendan Moles, Esq., MATTLEMAN, WEINROTH & MILLER, P.C., 401 Route 70 East, Ste. 100, Cherry Hill, NJ 08034, and via electronic filing on the New Jersey state court e-filing system.

4. Further, on this date, I caused a copy of the Notice of Removal to be filed with the Clerk of the Superior Court of New Jersey, Law Division, Hudson County, 595 Newark Ave, Jersey City, NJ 07306.

5. Pursuant to 28 U.S.C. §1746, I affirm under penalty of perjury that the foregoing is true and correct.

Dated: December 18, 2021

LAW OFFICES OF LORNE M. REITER, LLC
Attorneys for defendants
GREGORY COCHRAN, W.S. Thomas Transfer
Logistics, LLC and ONLINE TRANSPORT INC.
124 First Avenue

Atlantic Highlands, New Jersey 07716

s/Lorne M. Reiter

BY:

LORNE M. REITER